

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

State of Illinois, Department of Transportation,
Petitioner,

vs.

Illinois Central Railroad (IC) and City of Effingham,
Respondents.

Petition (1) to install a pre-signal on the eastbound approach of Evergreen Avenue of the at-grade crossing of IC's single main line track, (2) to interconnect the newly installed traffic signals at the intersection of Evergreen Avenue and U.S. 45 with the railroad warning devices at the Evergreen Avenue at-grade crossing of the IC's single main line track and (3) to establish the amount of minimum preemption time provided by IC to the Department for the traffic signal preemption sequence at said intersection, located in Effingham, Illinois.

T00-0088

SUPPLEMENTAL ORDER

By the Commission:

On December 20, 2000, the Illinois Commerce Commission ("Commission") entered its original Order herein covering the above-described subject matter.

On October 22, 2001, Petitioner, Illinois Department of Transportation ("Department") filed its Supplemental Petition requesting an extension of time until August 1, 2002, to complete the project. Said petition states that the Department has not completed the work required by the Commission, due to a comprehensive design process and the limitations imposed by the published project-letting schedule.

Commissions' Railroad Section Staff has reviewed the Supplemental Petition and recommends approval of the extension of time.

The Commission, having given due consideration to the entire record in this matter and to the Supplemental Petition filed herein, finds that:

- (1) The Commission has jurisdiction of the parties hereto and the subject matter hereof;
- (2) the recitals of fact as set forth in the prefatory portion of this Supplemental Order are true and correct and are hereby adopted as findings of fact;

- (3) an extension of time to and including August 1, 2002, to complete the work required by the December 20, 2000, Order is fair and reasonable and should be granted to the Department, without hearing.

IT IS THEREFORE ORDERED by the Commission that an extension of time to and including August 1, 2002, is hereby granted to the Department, within which to complete the project required by the Commission's Order dated December 20, 2000.

IT IS FURTHER ORDERED that except as modified herein, all other terms and conditions of the original Order dated December 20, 2000, shall remain in full force and effect.

IT IS FURTHER ORDERED that subject to Sections 18c-2201 and 18c-2206 of the Illinois Commercial Transportation Law, this is the final decision of the Commission subject to Administrative Review Law.

By Order of the Commission this 5th day of December, 2001.

JUDGE <i>[Signature]</i>
SECTION CHIEF
<i>[Signature]</i> ORDERS SUPERVISOR

[Signature]

Chairman